

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**MIGUEL AVALOS-DIAZ and
JOSE S. PEREZ,**

Defendants.

8:22CR139

ORDER

This matter came before the court on the government's Motion to Continue Trial [55]. Joseph P. Meyer appeared on behalf of the government. Bassal F. El-Kasaby appeared on behalf of defendant, Miguel Avalos-Diaz. A. Michael Bianchi appeared on behalf of defendant, Jose S. Perez. The defendants were present. For the reasons set forth in the motion and on the record, the undersigned magistrate judge finds good cause for the requested continuance.

Accordingly,

IT IS ORDERED that the Motion to Continue Trial [55] is granted, as follows:

1. The jury trial now set for July 18, 2023, is continued to **August 15, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and August 15, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B)(i).
3. Any objection to this order must be filed in accordance with NECrimR 59.2, **on or before July 24, 2023**.

DATED: July 10, 2023

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge